

**CR - 08 00155 RMW RS**

SEALED BY ORDER  
OF THE COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Filed  
MAR 12 2008

**SAN JOSE DIVISION**

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

THE UNITED STATES OF AMERICA

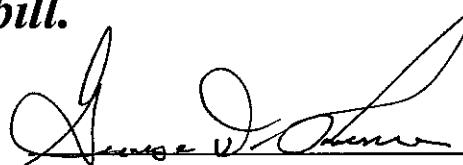
vs.

**ROBERT DUBOIS**

INDICTMENT

**COUNT ONE:** Title 18, United States Code, Section 922(g)(1) - Felon in Possession of Firearm and Ammunition.

*A true bill.*



*Foreperson*

Filed in open court this 12<sup>th</sup> day of March

*A.D. 2008*



UNITED STATES MAGISTRATE JUDGE

*Bail. \$ No bail/ warrant*

DOCUMENT NO.	CSA's INITIALS
1	C
DISTRICT COURT CRIMINAL CASE PROCESSING	

1 JOSEPH P. RUSSONIELLO (CASBN 44332)  
 2 United States Attorney

3 BRIAN J. STRETCH (CASBN 163973) **SEALED BY ORDER**  
 4 Chief, Criminal Division **OF THE COURT**

5 THOMAS M. O'CONNELL (NYSBN 1801950)  
 6 Assistant United States Attorney

7 150 Almaden Blvd., 9<sup>th</sup> Floor  
 8 San Jose, California 95113  
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 10 Facsimile: (408) 535-5066  
 11 E-mail: Thomas.M.OConnell@usdoj.gov

12 Attorneys for the United States of America

**Filed**

MAR 12 2008

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

13  
 14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 ROBERT DUBOIS,

18 Defendant

**CR-08 00155**

19 VIOLATIONS: 18 U.S.C. §922(g)(1) –  
 20 Felon in Possession of Firearm and  
 21 Ammunition

22 SAN JOSE VENUE

RMW  
 RS

INDICTMENT

23 The Grand Jury charges:

24 COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon In Possession of Firearm and Ammunition)

25 1. On or about April 25, 2006 in the Northern District of California the defendant,  
 26 ROBERT DUBOIS,

27 having been previously convicted of a crime punishable by a term of imprisonment exceeding  
 28 one year, did knowingly possess a firearm, to wit, an Intratec, Model TEC-9, 9 mm pistol with

INDICTMENT

1 an obliterated serial number, and four rounds of Winchester 9mm ammunition, in and affecting  
2 commerce, in violation of Title 18 U.S.C. Section 922(g)(1).

3

4 **FORFEITURE ALLEGATION:** (18 U.S.C. 924 (d)(1))

5 1. The factual allegations contained in Count 1 of this Indictment are realleged and  
6 incorporated here.

7 2. Upon a conviction for the offense alleged in Count 1 above, the defendant,

8 ROBERT DUBOIS,

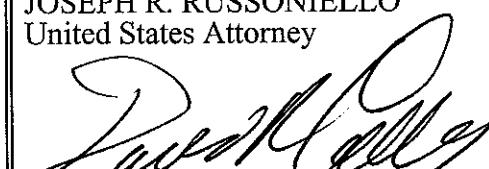
9 shall forfeit to the United States any firearm and ammunition involved in or used in any knowing  
10 violation of said offense, including but not limited to the following property: an Intratec, Model  
11 TEC-9, 9mm pistol with an obliterated serial number; and four rounds of Winchester 9mm  
12 ammunition,

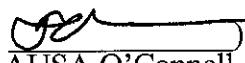
13 All in violation of Title 18, United States Code, Section 924(d)(1).

14 DATED: 3/12/08

15 A TRUE BILL  
16   
17 FOREPERSON  
18

19 JOSEPH R. RUSSONIELLO  
20 United States Attorney

21   
22 DAVID R. CALLAWAY  
23 Deputy Chief, San Jose Branch

24 (Approved as to form:   
25 AUSA O'Connell  
26  
27  
28

AO 257 (Rev. 6/78)

Filed

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

COUNT ONE: Title 18 United States Code, Section 922(g)(1) - Felon in Possession of Firearm and Ammunition

**SEALED BY ORDER  
OF THE COURT**

Petty  
 Minor  
 Misdemeanor  
 Felony

## PENALTY:

10 years imprisonment

\$250,000 fine

3 years supervised release

\$100.00 special assessment

## PROCEEDING

Name of Complainant Agency, or Person (&amp;Title, if any)

S/A ROBERT PATRIZZI-ATF

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Atty  Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person

Furnishing Information on THIS FORM JOSEPH P. RUSSONIELLO

U.S. Atty  Other U.S. Agency

Name of Asst. U.S. Atty  
(if assigned)

THOMAS M. O'CONNELL

Name of District Court, and/or Judge/Magistrate Location

MAY 12, 2008

NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

RICHARD W. WIEKING

CLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE

ROBERT DUBOIS

DISTRICT COURT NUMBER

**CR - 08 00155RMW**

RS

## DEFENDANT

## IS NOT IN CUSTODY

1)  Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)

## IS IN CUSTODY

4)  On this charge

5)  On another conviction

6)  Awaiting trial on other charges

}  Fed'l  State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No } If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

Or... if Arresting Agency & Warrant were not issued  Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

## PROCESS:

SUMMONS  NO PROCESS\*

WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_